

SITUATION REPORT NO. 15

INCIDENT NO. 2001-103

DATE: November 7, 2001 TIME: 12:00 p.m.

TO: Governor John Hoeven
State Capitol
Bismarck, ND 58505

1. NATURE OF DISASTER: Heightened Security – Heightened security initiatives are being implemented/recommended.
2. DEATHS AND INJURIES: No deaths and injuries have occurred in North Dakota as a result of terrorist activities. There have been several reports of illnesses requiring investigation by medical, law and fire authorities related to suspicious events throughout the state. All have turned out negative from a biological/chemical terrorism standpoint.
3. DAMAGES: Impacts on private and public law, fire, health and emergency personnel and facilities have been significant as over 430 suspicious item incidents have been reported statewide since September 11.
4. RESOURCES:
LOCAL: Statewide city and county emergency operation plans have been activated.
STATE: The North Dakota Emergency Operation Plan has been activated.
FEDERAL: No change from previous reports.
5. VOLUNTEER ACTION: No change.
6. MAJOR ACTIONS: In response to a request by national homeland security officials, Governor John Hoeven on October 29 issued a heightened state of alert order to all state and local emergency personnel and law enforcement officials.

The North Dakota Attorney General has warned North Dakotans to be aware of the dangers associated with obtaining prescription drugs through the Internet. The warning comes in the wake of increased public interest in obtaining Cipro and other antibiotics to treat or prevent anthrax. On-line pharmacies may not require an in-person consultation with a physician, may not be supplying the actual drugs they advertise, and may be charging excessive prices. Under North Dakota law, no person or pharmacy may engage in the preparation and delivery of prescription drugs unless licensed by the State Board of Pharmacy. Many on-line pharmacies are operating in violation of state and federal laws. A copy of the news release is available at: www.ag.state.nd.us/.

North Dakota Emergency Management and functional coordinators have been conducting meetings with state agencies to formulate and implement Homeland Security initiatives, as well as enhanced communication among functional and task coordinators. Functional groups conducting meetings to date include Public Safety, Individual and Family Assistance, Transportation, Public Works and Engineering, Health and Medical and Administration.

Throughout the state, county and tribal emergency managers have been facilitating risk assessments and homeland security meetings with task and functional coordinators. Activities include establishing and reviewing security plans, updating health and medical facility plans, protecting critical facilities, conducting terrorism awareness training, initiating public information campaigns, increasing security and implementing mitigation measures.

Throughout North Dakota, local, state, federal, volunteer and private organizations, as well as citizens and businesses, have implemented mail handling precautions. Local and state health, law enforcement and fire officials have addressed concerns related to suspicious packages. Statewide investigation into suspicious packages has exceeded 430 to date, with over 70 incidents requiring state labeling evaluation. To date, all suspicious incident investigations have resulted in negative reports regarding biological or chemical contamination.

The North Dakota Aeronautics Commission has received notification that the Federal Aviation Administration (FAA) has created no-fly zones around every nuclear power plant in the United States until November 7, 2001. All general aviation flights are prohibited in the airspace within a 10 nautical mile radius of and below 18,000 feet over nuclear sites. Nationwide, over 100 airports have been closed due to proximity to nuclear facilities; no North Dakota airports have been affected by the new regulations.

State, local and private law enforcement activities of heightened security on key facilities continues as a major public safety priority.

7. ASSISTANCE NEEDED: None at this time.
8. OUTSIDE HELP ON SCENE: None at this time.
9. OTHER INFORMATION:

Devils Lake State Flood Coordination Center (SFCC) Meeting

North Dakota Emergency Management facilitated a Devils Lake Basin State Flood Coordination Center meeting on October 18, 2001. Group discussion took place as follows:

North Dakota Division of Emergency Management (DEM)

On October 17, 2001, the Federal Emergency Management Agency (FEMA) and the North Dakota Division of Emergency Management (DEM) announced the approval of a federal grant totaling more than \$1.3 million to purchase 26 residential structures in Ramsey County that are endangered by rising waters in the Devils Lake area. The properties eligible for the buyout are funded through the Hazard Mitigation Grant Program (HMGP). The project includes purchases of homes along the Mauvais Coulee and Chain Lakes in the Devils Lake Basin that are at or below 1,460 feet msl (mean sea level).

U.S. Geological Survey

Devils Lake:

Provisional data for Devils Lake hydrographs indicate that the overall increase for the lake for 2001 amounted to one foot. These findings are based on daily gauge heights. The stage reached a peak elevation this year of 1,448.12 feet on July 22.

Devils Lake Outlet to Stump Lake (Jerusalem Coulee)

Flows from Devils Lake to Stump Lake were down to approximately three cubic feet per second (cfs), and will probably stop flowing this fall.

The maximum flow for the year was 50 cfs, which was recorded on July 30 at a stage of 1,440.26 feet, the elevation of Jerusalem Coulee. Some of the peak flow resulted from rain-generated local runoff. Peak flow from Devils Lake was around 35 cfs during late July and early August, coinciding with peak stages at Devils Lake.

Stump Lake

The level measured 1,411.83 feet on October 18, 2001; peak stage was 1,412.34 feet, which occurred on August 8. The lake had a total of gain of 1.8 feet this year.

State Water Commission

Devils Lake Hydrologic Update

The Devils Lake Basin has received below normal precipitation and large amounts of evaporation during the past two months. This has resulted in about a one-foot drop in elevation for Devils Lake. Approximately 130,000 acre-feet of water has evaporated from Devils Lake. Devils Lake peaked at the end of July at approximately 1,448.1 feet msl; the current elevation of Devils Lake is 1447.1 feet msl. At this elevation, the lake covers 125,000 acres and stores 2.4 million acre-feet of water.

Due to the drier weather and evaporation, the amount of storage in the upper basin is also increasing. If upper basin storage capacity remains until freeze-up, it will benefit Devils Lake during the spring run-off by reducing the volume of water that reaches the lake. However, conditions are subject to change, and there is still some time before freeze-up occurs. Next year's runoff is dependent upon the amount of precipitation the basin receives this fall and winter. Approximately four cfs is flowing from Devils Lake through the Jerusalem Channel to Stump Lake. This is down from the mid-summer peak flow of 38 cfs. If the elevation of Devils Lake continues to drop, flows could cease entirely. The current elevation of Stump Lake is 1,411.9 feet msl. At this elevation, Stump Lake covers 7,800 acres and stores 124,000 acre-feet of water. Stump Lake is about 0.4 feet lower than its peak of 1,412.3 feet msl.

State Emergency Outlet

The engineer has initiated the fieldwork, including the wetland delineation, to select an alignment for the project. The alignment is in the vicinity of Peterson Coulee, south of Minnewaukan. The fieldwork should be completed by the end of October. Once the alignment has been determined, the preliminary design can be completed and a more accurate cost estimate prepared. The state intends to complete preliminary engineering plans by January 2002, and to begin construction in May of

2002 and complete the project in fall.

U.S. Army Corps of Engineers (USACE) Outlet

SWC staff continues to work with the USACE on the environmental impact studies (EIS) and the permanent project. Some of the studies being completed between now and next summer will also apply to the state project. The current schedule calls for the draft EIS by February 2002, a final EIS by July 2002 and the Record of Decision by September 2002. This would potentially allow construction of an outlet to begin in October 2002.

Following the August 15 technical team meeting in Fargo, the USACE decided to review additional alternatives. An alternative includes pumping water out of Pelican Lake, north of N.D. Highway 19, to attain better water quality to meet downstream standards along the Sheyenne and Red Rivers. After the review, an alternative will be selected and then the design of the project will commence.

Nelson County Emergency Management

Families and apartment renters continue to experience mold-related problems. Clean up kits and health information were distributed again. The N.D. Department of Health provided assistance to Nelson County officials.

A study by the Upper Midwest Aerospace Consortium at the University of North Dakota indicated Nelson County has lost approximately \$65 to \$67 million in economic value since 1991 due to inundated cropland.

Ramsey County Emergency Management

Twenty-two homes were moved or scheduled to be moved this year through the National Flood Insurance Program (NFIP). Since 1996 when NFIP first instituted waivers, a total of 650 Devils Lake structures on the shoreline have been removed through the program.

Next year, if Devils Lake rises more than two feet above this year's historic high, the Woods-Rutten and Grahams Island Roads would be threatened by floodwaters. Both roads are at approximately 1,450 feet.

Officials are also concerned about the impact rising lake levels will have on the levee system protecting the city of Devils Lake. The levee is designed with a top-of-levee elevation of 1,457 feet, providing a protection level of 1,450 feet. If an additional three-foot raise is needed, several subdivisions on the shoreline will be affected.

City and county officials are concerned that the local economy will be negatively impacted once road construction ends in the Devils Lake area. The area has not experienced a growth in business. However, laborers are now bolstering the economy through extended stays in the area. Once they leave, that revenue source will subside.

Ramsey County Rural Utilities (RCRU)

Rural Sewer: The sewer manholes in the Lakewood area have been raised to 1,452 feet. Fill will be placed shortly. RCRU is receiving assistance from the U.S. Army Corps of Engineers. USACE plans to place fill for a 12-foot top on Washington Avenue; the County Highway Department will raise it 24 feet. The top

of the road will then be graveled and reopened for traffic.

A construction company will cap two clean-outs on Burke Boulevard because of low elevation.

Rural Water: Two new gate valves have been installed in the same area of Lakewood, isolating a main line currently under water. When the above referenced house is moved, the water line in the lake will be shut down. In the same area, one fire hydrant is scheduled to be removed due to the sewer manhole raise.

City of Minnewaukan

The city of Minnewaukan has completed its 1999 and 2000 water, sewer and street projects, which totaled \$1.8 million.

Individual sewer service repairs amounting to \$100,000 have been completed through the Individual Assistance Program.

The city has reactivated the Corps of Engineers 205 study for flood protection. An engineering consultant, North Central Planning Council and the U.S. Army Corps of Engineers are assisting with initial evaluation to determine the value of the property in town at each one-foot interval. Initial estimates indicate replacement value of all properties approaches \$25 million.

Two homes in Minnewaukan are eligible for NFIP benefits. One home has been moved to a new location in Minnewaukan in compliance with the NFIP land use ordinance. A church, located at 1,450 feet, is still in jeopardy. Four more homes with basements are below the 1,450-1,451-foot range, which is considered the 100-year flood plain elevation. The city is prepared to secure two manholes at an elevation of 1,451 feet.

Two temporary pumping stations have been established in the city with the help of North Central Planning, and last spring the city purchased a pump at a cost of \$5,000.

U.S. Army Corps of Engineers (USACE), St. Paul District

USACE engineers are completing construction of emergency levees on the Spirit Lake Reservation. Top of the levees will range from 1,452.5 to 1,453 feet.

The USACE has started an emergency protection project to assist Ramsey County Rural Utilities (RCRU) with a critical sewer line in the Lakewood area. The sewer line is at 1,448 feet.

Engineers are completing work an alignment study for the city of Devils Lake levee project. Earlier this year, the USACE received a request from the state to develop plans and specifications for raising the lake level protection system for the city of Devils Lake to 1,460 feet, which is three feet higher than the current levee. A final report is scheduled for completion by mid-November. Work on the environmental assessment continues.

USACE staff met with city of Minnewaukan officials to discuss plans for emergency and permanent flood protection. The meeting focused on potential alignments for temporary emergency protection. Minnewaukan officials requested the USACE reactivate the Section 205 Flood Control Study. Initial focus for the study will be an assessment of the economic feasibility of a permanent levee project.

As part of the Devils Lake Feasibility Study, a series of five public meetings were

held the first week of October with a primary purpose of updating the public about the initial findings of a review of alternatives. Preconstruction engineering and design of an outlet is scheduled to start this month. The "preliminarily selected outlet" alternative has not been identified yet. If a West Bay outlet is selected, the draft environmental impact statement (EIS) is scheduled for completion in February 2002, the final EIS by July 2002, and the signing of a Record of Decision by September 2002.

N.D. Game and Fish Department

Boat Access Work for 2001

With the two-foot rise in the Devils Lake level, the N.D. Game and Fish Department was again challenged to maintain boat access to the lake. Work involved boat ramp extensions, raising parking areas, ramp maintenance and placement of riprap. Most of the work occurred at East Creel Bay, Creel Bay, Six-Mile Bay and Black Tiger Bay. Approximately \$115,000 was spent by the Game and Fish Department on boat access last summer at Devils Lake.

National Guard

Officials for Camp Gilbert C. Grafton have relocated the bridge training site and land mine training area because of encroaching floodwaters. Officials were concerned that floodwaters would threaten the ammo supply point, and leadership reaction and compass courses. However, the lake level remained below the elevation of those sites.

If measures are implemented to equalize the water on both sides of N.D. Highway 20/57, then flood waters will inundate the leadership reaction and rappel tower, as well as nearby property along Military Road.

North Central Planning Council

The clean up and demolition of Churchs Ferry properties acquired under the Hazard Mitigation Grant Program (HMGP) is nearing completion. Plans call for completing the project by the end of the year.

The BTR Farmers Cooperative acquisition and relocation project will soon be underway. Funding has been secured from the Economic Development Administration (EDA), Community Development Block Grant (CDBG), North Dakota's HMGP and NFIP. Other sources include loan funds from a local bank, Bank of North Dakota and a United States Department of Agriculture (USDA) Rural Development loan guarantee.

The Ramsey County rural buyout project is underway. The county received \$1.6 million in North Dakota HGMP funds to purchase at least 26 residential structures along the Mauvais Coulee and Chain Lakes in the Devils Lake Basin.

North Central Planning Council has been asked to participate as the agent for the railroad elevation work at Churchs Ferry. Funding participants in the project are: Burlington Northern-Santa Fe Railroad, N.D. Department of Transportation, North Dakota HMGP and the cities of Fargo, Grand Forks, Devils Lake, Rugby and Minot.

The council has been working with Ramsey County Rural Utilities to submit a HMGP application to North Dakota Emergency Management for \$1.8 million to connect an additional 95 homes to its system. These homes are located in the Shelters Grove

subdivision, the Cliffs subdivision and along N.D. Highway 2 east. High water tables are preventing existing individual septic systems from working properly.

The following three reports were submitted by agencies unable to attend the meeting:

Lake Region Human Service Center (LRHSC), N.D. Department of Human Services

Overall, the mental health of citizens served by LRHSC has remained stable since the last State Flood Coordination Center (SFCC), held in May. However, referrals for psychiatric services and substance abuse evaluations and treatment have been high. The LRHSC crisis line calls have also remained steady in terms of volume, but the relative seriousness of the calls has generally increased.

LRHSC officials provided staff of David Miller and Associates (DMA) with an array of historical and current information related to Devils Lake flooding. DMA is under contract with the Corp to study (scope) the economic, health and mental health impact of residents in the region.

N.D. Highway Patrol

The N.D. State Highway Patrol continues to work with all agencies in an attempt to effectively cope with the rising water level of Devils Lake. An on-going exchange of information has been maintained among the agency, Ramsey County Sheriff's Office, Benson County Sheriff's Office and the N.D. Department of Transportation.

Traffic was able to safely travel through the Devils Lake area this summer, even during the heart of the construction season.

Due to the rising water of Devils Lake, response time has been delayed for officers responding to the Devils Lake area to Benson County. This is inherent to the current situation and cannot be avoided. Officers will be aware of the shortest alternate routes.

Safety problems associated with fishing were primarily confined to U.S. Highway 2 at Channel A west of Devils Lake. It was limited to a few weeks during peak white bass fishing activity.

N.D. Department of Transportation (DOT), Devils Lake District Office

Bids were received in the fall of 1999 for a special contract to perform emergency riprap repairs on all the area lake crossings if high winds cause erosion, damage to riprap or heavy debris deposition. The contractor is required to react on very short notice to make necessary emergency repairs. DOT already had some damage in past wind storms and fixed the damage using this contract (\$15,500), as well as \$230,000 for repair on the inslopes near Tokio.

Work is underway to relocate N.D. Highway 1 at Stump Lake. This project was let in May but will not be completed this year. This project will be closed to traffic if spring runoff endangers the road next year. A detour route includes Nelson County Roads 35 and 4.

A waiver by the Federal Highway Administration (FHWA) of the emergency relief regulations has allowed DOT to contract for approximately \$35 million in road repairs in the Devils Lake area. The waiver allows DOT to raise roads if they are within three feet of inundation. DOT worked with the FHWA to determine which

roads were eligible. The U.S. Highway 281 corridor is now eligible for repairs under the waiver. Public input meetings were held at Spirit Lake Nation and Minnewaukan within the past month. A concept report will be ready this spring.

The grade raises on N.D. Highway 20 at Mission Bay and Black Tiger Bay were completed and paved. These sites, as well as other locations, are acting as dikes. DOT plans to install monitoring equipment. A consultant has been hired and is currently conducting test borings.

The total of Devils Lake area projects total \$52,399,933.

Grade raises continue at four locations along N.D. Highway 19. Six Mile Bay and Mauvais Coulee require new bridges. The structures will be 15 to 17 feet higher than existing structures. The roadway remains closed to construction except at its west end (U.S. Highway 281), which is open to local traffic only. The east end project at Creel Bay has been completed.

U.S. Highway 2 west of Devils Lake remains open to traffic during construction. The project includes a grade raise for Mauvais Coulee at Churchs Ferry. Crews are elevating the bridge to 1,467.7 feet and the roadway to 1,455 feet. A grade raise at Channel A may take place during the 2002 construction season pending any lake level increases that may occur next year.

Crews working on N.D. Highway 20 are elevating the bridge to 1,465 feet and the roadway to 1,455 feet from the junction of N.D. Highway 57 east across Devils Lake. Detour routes include Bureau of Indian Affairs (BIA) roads 21, 20, 6 and 15. DOT hopes to open to traffic for the winter, even if the job is not 100 percent complete.

DOT hopes to open to traffic on N.D. Highway 57 for the winter, even if repair work is not 100 percent complete. Construction will not be completed during this construction season.

General Discussion

State Flood Coordination Center meetings will resume in early 2002 after the National Weather Service (NWS) issues its first flood outlook for the Devils Lake Basin. North Dakota Emergency Management will send a meeting notice to all participants.

Spring Flooding – FEMA-1376-DR-ND

The level of Devils Lake at Creel Bay was 1,447.12 feet this morning while the level of Stump Lake level measured 1,411.88 feet.

The N.D. Division of Emergency Management's Situation Reports are posted on the Division's Internet home page. The address is <http://www.state.nd.us/dem>.

Douglas C. Friez, State Director